



CrI.O.P.(MD) No.2879 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.2879 of 2024

K.Valsala

...Petitioner

VS

**1.The Deputy Superintendent of Police,
Nagercoil,
Kanyakumari District.**

**2.The Inspector of Police,
Vadaseri Police Station,
Kanyakumari District.**

3.Thara Mitra Niranjana

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the Respondents 1 and 2 to provide adequate police protection to the Petitioner and her husband, namely Sugumaran for their life and limb.

For Petitioner : Mr.S.Mahalakshmi

**For R1 & R2 : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)**



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ORDER

The learned Counsel for the Petitioner submits that the Petitioner is a senior citizen. She had filed this Petition seeking police protection against the third Respondent. It is the contention of the learned Counsel for the Petitioner that the Petitioner's son is employed in Kochi. He had developed illicit relationship with a married woman, who is the third Respondent herein. The third Respondent is alleged to have arrived from Thiruvananthapuram to the place of residence of the Petitioner at Parvathipuram, Nagercoil and is holding out Dharna in front of her house protesting against the conduct of the Petitioner's son. If at all any dispute between her and the Petitioner's son, it has to be resolved through Court by filing appropriate Petition. Instead, the third Respondent had come all the way from Thiruvananthapuram and held sit in Dharna in front of the Petitioner's house, which threatens her. Therefore, the Petitioner seeks police protection.



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2.The learned Government Advocate (Crl.side), on instructions of the

Respondents 1 and 2, would submit that the Petitioner's son is alleged to have developed illicit relationship with the third Respondent and got some jewellery and money from her, which she sought back. The amount and jewellery were not returned to her by the Petitioner's son, which forces her to come to the residence of the Petitioner and hold sit in Dharna. He would further submit that the third Respondent had given a complaint to the second Respondent through online. The Petitioner had given a complaint. CSR had been registered in both the complaints. When the second Respondent had invited her through mobile, the Petitioner did not co-operate with the pending enquiry.

3.The learned Government Advocate (Crl.side), on instructions of the Respondents 1 and 2, would submit that the Police are ready to hold enquiry and take appropriate action. As a citizen of this country, the Petitioner has to co-operate with the pending investigation. As a Complainant, she after giving the complaint cannot remain indifferent or uncooperative to the steps taken by the second Respondent to find out the cause and to take appropriate action.



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4.Under those circumstances, the Petitioner is directed to co-operate with the second Respondent. The second Respondent on holding such enquiry shall take appropriate action as per the reported ruling of the Hon'ble Supreme Court in the case of ***Lalitha Kumari Vs. State of Uttar Pradesh*** reported in ***(2014) 2 SSC 1***. The second Respondent is directed to summon the Petitioner specifying the time and date for appearance of the Petitioner to hold the enquiry. The enquiry shall be held within the reasonable period of one month from the date of uploading the copy of this order in the official website of this Court. If the third Respondent ever visits the house of the Complainant/Petitioner herein and creates issues, the second Respondent shall take effective steps, failing which he is liable for the consequences.

With the above directions, this Criminal Original Petition is disposed of.

Internet:Yes./No
Index:Yes/No
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To

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- 1.The Deputy Superintendent of Police,
Nagercoil,
Kanyakumari District.
- 2.The Inspector of Police,
Vadaseri Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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